

| <b>PRE-APPEAL BRIEF REQUEST FOR REVIEW</b>  |   | Docket Number (Optional)<br><b>NIHE-38852</b> |  |   |   |
|---|---|---|--|---|---|
| <div>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]</div> <div>on _____</div> <div>Signature _____</div> <div>Typed or printed name _____</div>  | Application Number<br><b>10/554,458</b>   | Filed<br><b>October 24, 2005</b>              |  |   |   |
|   | First Named Inventor<br><b>Masahiko Kadokura</b>  |   |  |   |   |
|   | Art Unit<br><b>3768</b>   | Examiner<br><b>Sanjay Cattungal</b>           |  |   |   |
| <p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s).<br/>Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top; padding-bottom: 10px;"><div><input type="checkbox"/> applicant/inventor.</div><div><input type="checkbox"/> assignee of record of the entire interest.<br/>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.<br/>(Form PTO/SB/96)</div><div><input checked="" type="checkbox"/> attorney or agent of record.<br/>Registration number <u>35878</u></div><div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.<br/>Registration number if acting under 37 CFR 1.34 _____</div></td><td style="width: 50%; vertical-align: top; padding-bottom: 10px;"><div><u>/michaelwgarvey/</u><br/>Signature<br/><b>Michael W. Garvey</b><br/>Typed or printed name<br/><b>(216) 579-1700</b><br/>Telephone number<br/><b>January 21, 2011</b><br/>Date</div></td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> |   |   |  | <div><input type="checkbox"/> applicant/inventor.</div> <div><input type="checkbox"/> assignee of record of the entire interest.<br/>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.<br/>(Form PTO/SB/96)</div> <div><input checked="" type="checkbox"/> attorney or agent of record.<br/>Registration number <u>35878</u></div> <div><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34.<br/>Registration number if acting under 37 CFR 1.34 _____</div> | <div><u>/michaelwgarvey/</u><br/>Signature<br/><b>Michael W. Garvey</b><br/>Typed or printed name<br/><b>(216) 579-1700</b><br/>Telephone number<br/><b>January 21, 2011</b><br/>Date</div> |
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| <div><input checked="" type="checkbox"/> *Total of <u>2</u> forms are submitted.</div>  |   |   |  |   |   |

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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The information provided by you in this form will be subject to the following routine uses:

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7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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